

WAGNER BLECHER LLP
123 Westridge Drive
Watsonville, CA 95076
(408) 377-0500

PATENT APPLICATION

ATTORNEY DOCKET NO. TRMB-1398

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Randall RISTAU et al.

Confirmation No.: 3049

Application No.: 10/672,354

Examiner: Craig S. Miller

Filing Date: 09/25/2003

Group Art Unit: 2857

Title: SYSTEM AND METHOD FOR BUILT-IN TESTING OF A GPS RECEIVER

Mail Stop Petition
Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137 (b)**

1. This application became abandoned on 03/28/2006.
2. This application became abandoned because the failure to prosecute was an unintentional delay. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.
3. Response or action required:
☐ has been filed on _____.
☒ is enclosed herewith. Additionally, please charge the Publication Fee of \$300 to our Deposit Account.
☐ the response is the filing of a Continuation application having an express abandonment conditioned on the granting of a filing date to the continuing application copending with this application.
4. Terminal disclaimer 37 CFR 1.137 (c):
☒ Since this utility application was filed on or after June 8, 1995, no terminal disclaimer is required.
☐ A terminal disclaimer and disclaimer fee of \$130.00 disclaiming a period of equivalent to the period for abandonment is enclosed herewith.

Charge Deposit Acct. 50-4157 the sum of \$ 1,920. . At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 50-4157 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 50-4157 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

- ☐ I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Commissioner for Patents, Alexandria, VA 22313-1450
Date of Deposit:

Respectfully submitted,
Randall RISTAU et al.

By /John P. Wagner, Jr./

John P. Wagner, Jr.

OR

- ☒ I hereby certify that this paper is being transmitted to the Patent and Trademark Office facsimile number (571)273-8300 or via electronic filing.
Date of facsimile/transmission: 06/02/2009
Typed Name: Brenda Dinapoli
Signature: /Brenda Dinapoli/

Attorney/Agent for Applicant(s)

Reg No. : 35,398

Date : 06/02/2009

Telephone : 408-377-0500

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Ristau, R. et al.)	Confirmation No.: 3049
)	
Application No.: 10/672,354)	Examiner: Miller, Craig S.
)	
Filing Date: 9/25/2003)	Art Unit: 2857
)	
For: System and Method for Built-In)	
Testing of a GPS Receiver)	

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Petition for Revival of an Application, Under 37 CFR 1.137(b)
for a Patent Abandoned Unintentionally

Dear Sir:

In response to the Decision on Petition mailed 1 April 2009, Applicants respectfully request revival of the above referenced patent application. Please consider the following remarks for Revival and Issuance of the above-identified patent application.

Remarks

This application became abandoned on March 28, 2006. The issue fee was paid by check (2276) mailed on 2/09/2006. However, due to insufficient funds in a deposit account the publication fee of \$300 not timely paid. The insufficient funds in the deposit account occurred at a time when our previous firm was dividing into two separate firms, and the oversight of having insufficient funds in the account to cover the publication fee was entirely unintentional. Additionally, the entire delay in filing the required reply (payment of the publication fee) from the due date for the reply until the filing of a grantable petition per 37 CFR 1.137(b)(3), was unintentional.

Applicants believe that payment of the publication fee satisfies the requirement of “Reply” under 37 CFR 1.137(c). As indicated below, we authorize charging of the \$300 publication fee and any other fees required under this petition to our deposit account.

Since the instant application is a utility application filed after June 8, 1995, Applicants submit that no terminal disclaimer is required.

The Decision on Petition (mailed 1 April 2009) provided no shortened response period and indicated no response period of any kind. However, should any extension of time be required, please charge such fees for extension of time to our deposit account as indicated below.

Regarding Fees: Please charge the \$1,920. petition fee (under 37 CFR 17m), the \$300 publication fee, and any other associated fees associated with this petition to our deposit account, Account # 50-4157, pursuant to 37 CFR 1.25. Additionally, please charge any fees to deposit

Account # 50-4157 under 37 CFR 1.16 through 1.21 inclusive, 37 CFR 1.134, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees.

CONCLUSION

In light of the above listed remarks, Applicants respectfully request revival of this application and issuance of this application.

The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present application.

Respectfully submitted,

WAGNER BLECHER LLP

Dated: June 2, 2009

/John P. Wagner, Jr./

John P. Wagner, Jr.
Registration No.: 35,398

WAGNER BLECHER LLP
Westridge Business Park
123 Westridge Drive
Watsonville, CA 95076

Phone: (408) 377-0500